



Fox Rothschild LLP
ATTORNEYS AT LAW

2000 Market Street, 20th Floor
Philadelphia, PA 19103-3222
Tel 215.299.2000 Fax 215.299.2150
www.foxrothschild.com

Edward J. Hayes
Direct Dial: (215) 299-2092
Email Address: ehayes@foxrothschild.com

August 30, 2010

VIA ELECTRONIC FILING

Honorable Michael A. Shipp
U.S. Magistrate, United States District Court
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Re: **Walsh Securities, Inc. v. Cristo Property Management, et al.**
Civil Action No. 97-3496

Dear Judge Shipp:

This firm represents Fidelity National Title Insurance Company and Nations Title Insurance Company (collectively, "Fidelity") in the above-referenced proceedings. We are in receipt of the letter submitted by David Kott on behalf of Commonwealth Land Title Insurance Company ("Commonwealth") in opposition to the letter submitted by Robert Magnanini regarding whether certain witness statements are discoverable. Fidelity hereby joins in the opposition submitted on behalf of Commonwealth because (i) the redacted witness statements at issue are not protected work-product, (ii) the work-product doctrine does not extend to purely factual statements, and (iii) Plaintiff waived any work-product protection that might apply to the witness statements when it voluntarily provided them to Commonwealth.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward J. Hayes".

Edward J. Hayes

EJH:rcr

cc: Robert A. Magnanini, Esquire (via e-mail)
David R. Kott, Esquire (via e-mail)
Martin R. McGowan, Esquire (via e-mail)
All Counsel on Attached List